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Attorneys for Plaintiff

HOME DEPOT U.S.A., INC.

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

HOME DEPOT U.S.A., INC.

Plaintiff,

v.

AU OPTRONICS CORPORATION;  
AU OPTRONICS CORPORATION AMERICA;

Defendants.

Case No. 3:13-CV-06001

MDL 1827

**PLAINTIFF HOME DEPOT U.S.A.,  
INC.'S REQUEST FOR JUDICIAL  
NOTICE IN OPPOSITION TO  
DEFENDANTS' MOTION TO  
DISMISS COMPLAINT**

Date: June 6, 2014

Time: 9:00 A.M.

Dept: Courtroom 10, 19th Floor

450 Golden Gate Avenue

San Francisco, CA 94102

**REQUEST FOR JUDICIAL NOTICE**

TO ALL PARTIES AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiff Home Depot U.S.A., Inc. ("Home Depot" or "Plaintiff") respectfully requests that the Court take judicial notice of the documents annexed as Exhibits 1 through 8 to the Declaration of G. Patrick Watson, pursuant to Federal Rule of Evidence 201. Exhibits 1 through 8 are noticed in connection with Home Depot's opposition to

1 AU Optronics Corporation and AU Optronics Corporation America (collectively, “Defendants”)’s  
2 Motion to Dismiss.

3 Fed. R. Evid. 201(b)(2) permits judicial notice of facts that are “not subject to reasonable  
4 dispute” which includes facts “generally known within the trial court’s territorial jurisdiction” or  
5 facts which can be “accurately and readily determined[.]” Judicial notice is appropriate “at any  
6 stage of the proceeding” including in conjunction with a motion to dismiss. Fed. R. Evid. 201(d);  
7 *see Lee v. City of Los Angeles*, 250 F.3d 668, 688–89 (9th Cir. 2001).

8 Here, Exhibits 1 through 7 to the Declaration of G. Patrick Watson are class action  
9 complaints which are well-known within this jurisdiction and whose accuracy cannot be  
10 reasonable questioned. *See* Fed R. Evid. 201(b). Exhibit 8 to the Declaration is a printout from  
11 the California Secretary of State’s website and its accuracy can be readily verified by accessing  
12 <http://kepler.sos.ca.gov>. *See Austero v. Aurora Loan Servicing, Inc.*, No. C-11-00490 JCS, 2011  
13 WL 1585530 (N.D. Cal. April 27, 2011) (taking judicial notice of a printout from the California  
14 Secretary of State website for a business entity search); *see also Piazza v. EMPI, Inc.*, 1:07-CV-  
15 00954-OWWGSA, 2008 WL 590494 (E.D. Cal. Feb. 29, 2008) (same).

16 For the foregoing reasons, Home Depot respectfully requests that this Court grant its  
17 request for judicial notice and consider those documents when deciding Defendants’ Motion to  
18 Dismiss.

19 Dated: May 6, 2014.

BRYAN CAVE LLP

20 By: G. Patrick Watson  
21 G. Patrick Watson  
22 C. Scott Greene  
23 Lindsay J. Sklar  
24 Attorneys for Plaintiff  
25 HOME DEPOT U.S.A, INC.  
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